

## **REMARKS**

Applicant is in receipt of the Office Action mailed January 9, 2008. Claims 1-50 are rejected. Claims 1, 9, 15, 18, 26, 32, 35, 43, and 48 have been amended. Claims 6, 23, and 40 have been canceled. Accordingly, claims 1-5, 7-22, 24-39, and 41-50 remain pending in the application.

Support for the amendments to claims 1, 9, 15, 18, 26, 32, 35, 43, and 48 may be found in Applicant's specification at least from page 5, line 29 to page 6, line 5.

### **Objection to the Specification**

The specification is objected to for failing to provide proper antecedent basis for the term "computer-readable storage medium" as recited in claims 18-34. Applicant respectfully traverses the objection in light of the following remarks.

Under 37 CFR § 1.75(d)(1), the "terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description." Applicant respectfully submits that the original description provides clear support and/or antecedent basis for a "computer-readable storage medium" so that the meaning of a "computer-readable storage medium" is ascertainable by reference to the description.

On page 63, lines 1-6, Applicant's original description states:

Various embodiments may further include receiving or storing instructions and/or information implemented in accordance with the foregoing description upon a carrier medium. Suitable carrier media may include storage media or memory media such as magnetic or optical media, e.g., disk or CD-ROM, as well as transmission media or signals such as electrical, electromagnetic, or digital signals, conveyed via a communication medium such as a network and/or a wireless link.

Thus, Applicant's specification provides clear support and/or antecedent basis for instructions stored upon a storage medium. The meaning of the term "computer-readable" (e.g., in the context of describing a storage medium) is also ascertainable by reference to Applicant's description, including the passage quoted above as well as Figures 1 through 3 and numerous other elements. Accordingly, withdrawal of the objection to the specification is respectfully requested.

### **Rejections Under 35 U.S.C. § 103**

Claims 1-6, 9, 11-15, 18-23, 26, 28-32, 35-40, and 43-48 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Colyer et al. (U.S. Patent No. 6,151,621, hereinafter "Colyer") in view of Llewellyn et al. (U.S. Patent Application Publication No. 2003/0061279, hereinafter "Llewellyn "). Claims 7, 8, 16, 17, 24, 25, 33, 34, 41, and 42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Colyer in view of Llewellyn and further in view of Butler (U.S. Patent No. 6,584,493). Claims 10 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Colyer in view of Llewellyn and further in view of Harple et al. (U.S. Patent No. 6,195,091, hereinafter "Harple"). Applicant respectfully traverses the rejections in light of the following remarks.

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Appellants respectfully submit that the cited references, taken individually or in combination, would not produce all the limitations recited in the claims.

In particular, Applicant respectfully submits that the cited references, taken individually or in combination, do not teach or suggest a method for providing a plurality of collaborative sessions in a networked computing environment, the method comprising "automatically determining that no existing instance of the application type of the collaborative application is running on the second computer system; automatically instantiating a second instance of the collaborative application on the second computer

system in response to determining that no existing instance of the application type of the collaborative application is running on the second computer system” as recited in claim 1.

Applicant’s claim 1 has been amended to include limitations similar to those previously recited in dependent claim 6 (now canceled). In rejecting claim 6, the Office Action relies upon the disclosure of Colyer in col. 8, lines 1-30. In the cited passage, Colyer discloses that server software (i.e., a ServerMain object 50C) in a client/server conferencing system “listens for and accepts incoming network connections from clients.” Thus, Colyer discloses that an instance of the server software is already running on the server computer system and is not automatically instantiated in response to determining that no existing instance of the application type of the collaborative application is running on the server computer system.

Although Colyer further discloses that an instance of the Connection class 50D is created when a connection is received (*see, e.g.*, col. 8, lines 2-4), the Connection object is merely a component of the ServerMain object 50C (*see, e.g.*, Fig. 4) and is not an instance of the application type of the collaborative application. Applicant’s claim 1 recites both a first instance of a collaborative application on a first computer system and a second instance of the collaborative application on a second computer system. However, Colyer’s Connection object exists only on the server computer system, not on any client computer system. Thus, neither the Connection class nor the Connection object is analogous to the collaborative application (or an instance thereof) recited in Applicant’s claim 1.

For at least the reasons discussed above, Applicant respectfully submits that independent claims 1, 9, 18, 26, 35, and 43 are patentably distinct from the cited references. The dependent claims are patentably distinct for at least the same reasons as their respective independent claims. Accordingly, Applicant respectfully requests withdrawal of the § 103(a) rejections.

## **CONCLUSION**

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5602-11700/JCH.

Also filed herewith are the following items:

- ☐ Request for Continued Examination
- ☐ Terminal Disclaimer
- ☐ Power of Attorney By Assignee and Revocation of Previous Powers
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,

/Jeffrey C. Hood/

Jeffrey C. Hood, Reg. #35198  
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8800  
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